

Los Angeles Police Department
discovery@lapd.online

1.17.2017

Dear Public Information Officer:

As a reporter for the *Los Angeles Times*, I am requesting an opportunity under the California Public Records Act (Government Code Section 6250 et seq.), to inspect or obtain copies of the following public records:

1. Any and all records regarding your agency's acquisition of cell site simulators, including but not limited to invoices, purchase orders, contracts loan agreements, evaluation agreements, solicitation letters, correspondence with companies and public agencies that provide the devices, and similar documents
2. Any and all records regarding any offer, proposal, arrangement, agreement, or memorandum of understanding with the California Highway Patrol ("CHP"), Naval Criminal Investigative Service ("NCICS"), Federal Bureau of Investigation ("FBI"), U.S. Marshals Service, FBI's Data Intercept Technology Unit ("DITU"), Northern California Regional Intelligence Center ("NCRIC"), and/or any corporation, to borrow, permanently acquire from, or use any cell site simulator owned or possessed by the named entities
3. Any and all nondisclosure agreements with Harris Corporation, Digital Receiver Technology (DRT, formerly Utica Systems, now a subsidiary of Boeing Corporation), Septier Communications Limited, Proximus LLC, any other corporation, and any state or federal agencies, regarding your agency's actual or potential possession or use of cell site simulators
4. Any and all records, memorandums or correspondence that pertain to any resolution or ordinance adopted by your legislative body under Senate Bill No. 741 (Article 11 (commencing with Section 53166) Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to communications).
 - a. The security practices and procedures required by Govt. Code section 53166(b)(1) (S.B. 741 (2015))
 - b. The usage and privacy policy required by Govt. Code section 53166(b)(1) (S.B.741 (2015))
5. Any and all records, notices, letters, memorandums, hearing minutes or correspondence that pertain to any public hearing held regarding any resolution or ordinance to be adopted by your legislative body under Senate Bill No. 741

(Article 11 (commencing with Section 53166) Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to communications).

6. Any and all records regarding policies and guidelines governing the use of cell site simulators, including but not limited to:
 - a. when, where, how and against whom the devices may be used logging, retention, purging, use and auditing data stored in or communicated from the devices
 - b. under what circumstances an administrative warrant, judicial warrant, or other legal process, must, should or should not be obtained prior to, during, or following direct or indirect use of the devices
 - c. under what circumstances the existence or use of the devices must, should or should not be revealed to judges, prosecutors, defense attorneys, criminal defendants or the general public and
 - d. parallel construction techniques for use in avoidance of disclosure of the initial method of discovery of information gained initially by use of cell site simulators
7. Any and all records reflecting the number of investigations in which cell site simulators were used, the number of those investigations that resulted in prosecutions and the number of those investigations that resulted in convictions
8. Any and all applications submitted to state or federal courts for warrants, orders or other authorization for use of cell site simulators in criminal investigations, as well as any warrants, templates, orders, authorizations, denials of warrants, denials of orders, denials of authorization, and returns of warrants associated with those applications

I request, if possible, that all files be sent to me electronically. I can receive the records in a variety of formats (.dbf, .csv, .mdb etc.) and media (CD, DVD, ftp). Please call me [REDACTED] [REDACTED] or email me at [REDACTED] and [REDACTED] as soon as the requested information is available or if you have any questions about my request.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$20. However, I also would like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of private surveillance policies in California. This information is not being sought for commercial purposes.

The California Public Records Act requires a response within ten business days. If you expect a significant delay in responding to this request, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or this entire request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for considering my request.

Sincerely,

Jazmine Ulloa
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